

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
BEAZLEY INSURANCE COMPANY, INC.,  
Plaintiff,

-against-

ACE AMERICAN INSURANCE COMPANY,  
and ILLINOIS NATIONAL INSURANCE  
COMPANY,  
Defendants.

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ELECTRONICALLY FILED	
DOC #:	7/29/16
DATE FILED: 7/29/16	

15 CIVIL 5119 (JSR)

**JUDGMENT**

Whereas in an Order dated October 20, 2015, the Court granted Plaintiff's motion for partial summary judgment on its first cause of action; the Court dismissed Plaintiff's third, fourth, and fifth causes of action against INIC without prejudice; and the Court dismissed Plaintiff's third cause of action for "implied/common law indemnity" with prejudice; in an Opinion and Order dated July 12, 2016, the Court granted ACE summary judgment on Counts Two and Four, but denies ACE summary judgment on Count Five; the Court granted INIC's motion for summary judgment, and directed the Clerk of the Court to terminate INIC from this action; the Court also denied Beazley's motion for summary judgment; on July 25, 2016, the parties having requested that the Court issue a Rule 54(b) Certification at this time, finding that there is no just reason for delay, and directing the entry of final judgment, in accordance with this Court's July 12, 2016 Order, and the matter having come before the Honorable Jed S. Rakoff, United States District Judge, and the Court, on July 28, 2016, having rendered its Order staying Trial of the remaining claim pending further order of the Court, certifying pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, that there is no just reason for delay in the entry of a separate final judgment, and directing the Clerk to enter Judgment in accordance with the Court's October 20, 2015 Order and July 12, 2016 Order, and in particular, that Judgment should be entered against Beazley and in favor of INIC on all of Beazley's

causes of action asserted against INIC, and against Beazley and in favor of ACE on Beazley's second cause of action for declaratory relief, third cause of action for implied/common law indemnity, and fourth cause of action for contribution asserted against ACE, and that Judgment should be entered in favor of Beazley on Beazley's first cause of action for declaratory relief asserted against ACE, consistent with the Courts' October 20, 2015 Order and July 12, 2016 Order, it is,

**ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated October 20, 2015, Opinion and Order dated July 12, 2016, and Order dated July 28, 2016, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, that there is no just reason for delay, Judgment is entered against Beazley and in favor of INIC on all of Beazley's causes of action asserted against INIC, and against Beazley and in favor of ACE on Beazley's second cause of action for declaratory relief, third cause of action for implied/common law indemnity, and fourth cause of action for contribution asserted against ACE; Judgment is also entered in favor of Beazley on Beazley's first cause of action for declaratory relief asserted against ACE.

**Dated:** New York, New York  
July 29, 2016

RUBY J. KRAJICK  
Clerk of Court  
BY: \_\_\_\_\_  
Deputy Clerk

THIS DOCUMENT WAS ENTERED  
ON THE DOCKET ON 8/3/2016